

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 06-CR-30063 (DRH)
)	
DARYL MOORE,)	
)	
Defendant.)	

ORDER

HERNDON, District Judge:

Before the Court is Defendant's motion to continue trial (Doc. 30) and motion to set hearing for change of plea (Doc. 29). Trial in this matter is currently set for January 29, 2007. Defendant has informed the court that he wishes to change his plea. Because the Defendant wishes to change his plea, the Court will continue the trial in this matter, in order to give Defendant the opportunity to change his plea. The Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant in a speedy trial because failure to grant a continuance would deny Defendant an opportunity to change his plea. Therefore, the Court **GRANTS** Defendant's motion to set hearing for change of plea (Doc. 29) and sets this matter for a change of plea hearing on February 2, 2007 at 9:30 a.m. The Court also **GRANTS** Defendant's motion to continue (Doc. 30) and continues the trial scheduled

for January 29, 2007 for Defendant until March 5, 2007 at 9:00 a.m. in case Defendant decides not to change his plea. The time from the date Defendant's motion was raised, January 26, 2007, until the date on which the trial is rescheduled, March 5, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 26th day of January, 2007.

/s/ David RHerndon
United States District Judge